

Filtered Data Export

Full name: Amy Tregellas

Organisation (where relevant): Whimble Parish Council

Other party name (if relevant):

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Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD29

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

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2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Introduction chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

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3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

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3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Whimble Parish Council is responding to, and challenging policy SD29: Strategic Allocations in Whimble, particularly to the allocation of Whim_11 (Land at Station Road) site in the EDDC Emerging Local Plan.

The objection is on the grounds of soundness in that the allocation and policy is not based on solid evidence.

The EDDC Strategic Planning Committee considered the Whimble Site Selection Report at a meeting on 1 October 2024.

Professional planning officers identified and assessed the potential sites in Whimble and using their professional judgement, backed up with sound evidence recommended to Members whether to allocate the site or not.

In the case of Whim_11, Planning Officers recommended that the site be allocated for the following reason:

‘The site is considered to be the best option for accommodating an appropriate scale of development for Whimble. It is well related to the exiting settlement pattern and benefits from relatively good pedestrian access to facilities in the village centre. Although the northern part of the site is at risk of flooding, there is potential for the development of around 30 dwellings on the remainder of the site.’

Representatives from Whimble Parish Council were not able to attend the Strategic Planning Committee on 1 October 2024, but instead submitted a statement, which was read out by a Democratic Services Officer.

The Whim_11 site in Station Road (which is also known locally as the old cricket ground) has been put forward for development several times before when East Devon District Council (EDDC) have called for sites. In the 1995, 1999 and 2015 Local Plans the proposed site was rejected on several legitimate planning grounds and the site was not allocated in the Local Plan.

The Parish Council asked the Strategic Planning Committee to give an explanation as to what has changed since this site was previously rejected that now makes it suitable for allocation. To date, no response has been received from EDDC.

Trees and Wildlife Habitat

The site contains a number of mature trees several of which have existing Tree Preservation Orders (TPOs). The tree in middle of old cricket pitch is unique, mentioned in Wisden and should be preserved as of historic importance.

In the EDDC Site Selection Report for Whimble, there does not appear to be any mention of the tree in the middle of the old cricket pitch and allocation on this site would surely be subject to the provision of EDDC Emerging Local Plan Policy PB08: Trees, Hedges and Woodland on development site.

The DEFRA website shows the site and north east of the site as Woodland Priority Habitat and Woodland Improvement Area, Priority Habitat (woodland and orchard), and a national habitat and network enhancement zone 1.

Local knowledge is that the site is home to an array of wildlife habitats including bats and owls.

Any development of this site would be contrary to the EDDC Emerging Local Plan Policies PB02: protection of regionally and locally important wildlife sites and PB03: protection of irreplaceable habitats and important features.

Flooding

It is noted that the site is already subject to (partial) flooding (confirmed by the Environment Agency), and any development would run the risk of adding to this with impact both on the site and further downstream.

There is no evidence to suggest that officers have carried out further work relating to the flood risk before consideration was given to a partial allocation.

Therefore, Whimble Parish Council suggests that there is no sound evidence for allocating this site in the EDDC Emerging Local Plan and that it is contrary to Policy AR01: Flooding.

Access to the site and Infrastructure

The exit from the site is on to a single track road with a blind corner – not only would this create an immediate local problem but the potential to add 33 houses on this site would seriously compromise an already congested and busy exit route from the village (continuing through the Centre of the village – along Church Road and then on to the old London Road.

Church Road is the main route into the Village and is a narrow and dangerous road. The section of Church Road nearest to the Square and village shop is single track road with houses either side of the road.

There is no pavement along the stretch of Church Road to The Square and School Hill. The Parish Council and Villagers have raised concerns about the volume and speed of traffic on that road.

The Parish Council are so concerned about the volume and speed of traffic along Church Road that it has convened a Community Speed Watch Group to monitor the traffic and speed along that road.

The Police confirmed that Church Road is not recommended as a safe route to the Primary School, Village shop, church or railway station.

There is no capacity to add a footpath to exit and continue from this site. All access routes are narrow country lanes, so development would exacerbate the existing problems of public safety (given the lack of footpath), traffic congestion and noise.

This site was considered unsuitable for development in 1995 due to traffic issues. What has changed since then which now makes this site suitable? This question was asked at the EDDC Strategic Planning Committee meeting on 1 October 2024 but, to date, no response has been received.

The Parish Council has been advised that the owners of the site do not own the hedge bordering the site. Also, another local resident owns land adjacent to the site that would be needed for the installation of a footpath, and he has advised that he will resist any land grab.

Whimble Primary School is at capacity so there is no infrastructure in place to accommodate additional children at the school arising from 83 additional homes split across the proposed allocations of Whim_11 and Whim_08a.

Whimble Parish Council feels that this site is not sustainable and therefore should not be allocated in the EDDC Emerging Local Plan.

Land of Local Importance

In 1993 The EDDC Chief Engineer and Planning Officer wrote to a local resident to confirm that the Richard Whiteway Memorial Ground was inset as “Land of Local Importance” (copy of the letter has been provided). The letter states ‘the intention of the designation is that the land should not be built upon’, and ‘the designation means that the land can only be used for activities which retain its open nature. Any applications to develop the land would be resisted’.

Whimple Parish Council asks what has changed since 1993 to suggest that this site should now be allocated in the Emerging Local Plan? This question was asked to the EDDC Strategic Planning Committee meeting on 1 October 2024 but, to date, no response has been received.

Developing this site would be contrary to Policy OL06: Land of Local Amenity Importance and Local Green Space.

Spatial Strategy

Whimple is a 'Tier 4' settlement, where the draft local plan seeks to promote limited development to meet local needs. The development of up to around 33 homes on Whim_11 is consistent with that strategy.

Whimple Parish Council challenges this assumption.

As part of the work on the Whimple Neighbourhood Plan, the Parish Council commissioned a Housing Needs Survey. The Whimple Parish Housing Needs Report states 'The survey identified a need for at least 4 affordable homes within the next 5 years.'

Whimple Parish Council does not class a total allocation of 83 homes in Whimple to be 'limited development' (Whim_11 total of 33 homes; Whim_08a total of 50 homes), especially when the Whimple Housing Needs Report lists a significantly lower figure.

The Parish Council also suggests that the allocation is not sound as it is contrary to EDDC Emerging Local Plan Policy HN01: Housing to address needs, which states 'This will be achieved by providing an appropriate mix of decent, good quality homes which meet identified needs for housing as identified in a neighbourhood plan, local needs assessment or other evidence document over the plan period, at locations consistent with the settlement hierarchy and the spatial strategy.'

In addition to this, there are developments planned in neighbouring areas e.g. Cranbrook. This includes the current Cobdens Expansion of Cranbrook, part of which is still in the Whimple Parish Area, where 1500 houses, a school and a travellers site have already been approved by the Strategic Planning Committee. These sites have a far better infrastructure than Whimple Village so why has the additional housing requirement not been allocated at these sites?

Other Comments

The Parish Council and local residents in Whimple have not said that they are against development. But the issue is the size and location of the development.

It is the view of the Parish Council that development would be better placed elsewhere in Whimple, or in Cranbrook or elsewhere in the district where there is appropriate infrastructure.

As set out earlier there is no sound justification as to why the Strategic Planning Committee decided to go against the professional judgement of the Planning Officers and allocated this site in the Emerging Local Plan.

Also, in terms of soundness, the Strategic Planning Committee does not appear to have fully considered a number of other options that could have been chosen.

Whimple Parish Council is looking at Site Allocations as part of the evidence base for its Neighbourhood Plan. The Parish Council is considering a number of sites, which are:

Whim_03 Land to the south of Grove Road
Whim_07 Land south of Broadclyst Road
Whim_13 Land north side of Grove Road
Whim_18 Land to the east of Church Road
Whim_20 Land to the north of Plumtree Lane

The Parish Council's preference would be that a site is allocated to the east of Church Road so that it is nearer to the established infrastructure near the Hand and Pen.

It is the view of the Parish Council that further work should be carried out on all of the sites by the professional Planning Officers before any allocation is made in Whimble.

So, in summary, Whimble Parish Council does not feel that the EDDC Emerging Local Plan policy SD29: Strategic Allocations in Whimble is sound, and therefore site Whim_11 should not be allocated.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Whimble Parish Council believes that policy SD29: Strategic Allocations for Whimble, specifically site Whim_11 is not sound, as the decision to allocate failed to consider the protected tree in the middle of the site, which is protected by a Tree Preservation Order (TPO). Also there is no mention of the fact that previously the EDDC Planning Department designated this site as "Land of Local Importance" which should not be built on and should be used for activities which retain its open nature.

Therefore, Whimble Parish Council and local residents want to see the modification of site Whim_11 being removed from the EDDC Emerging Local Plan and the homes being allocated elsewhere in the district (outside of Whimble Village), where there is appropriate infrastructure.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

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4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

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5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Whimple Parish Council wishes to participate in the hearing session(s) to challenge the soundness of the allocation of Policy SD29: Strategic Allocations at Whimple, and to represent local residents of Whimple who have also voiced significant concerns and objections.

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Whimble Parish Council is responding to, and challenging policy SD29: Strategic Allocations in Whimble, particularly to the allocation of Whim_08a (Land west of Bramley Gardens) site in the EDDC Emerging Local Plan.

The objection is on the grounds of soundness in that the allocation and policy is not based on solid evidence.

The EDDC Strategic Planning Committee considered the Whimble Site Selection Report at a meeting on 1 October 2024.

Professional planning officers identified and assessed the potential sites in Whimble and using their professional judgement, backed up with sound evidence recommended to Members whether to allocate the site or not.

In the case of Whim_08 site, officers recommended that the site was not allocated for the following reasons:

- Scale of development incompatible with spatial strategy.
- Site lacks safe and convenient pedestrian access to services and facilities in the village.
- The site forms part of the 'Green Wedge' between Whimble and Cranbrook.
- Forms an important part of the very attractive rural landscape setting for the settlement.
- Potential impact on unconfirmed wildlife site.
- Part of is at risk of flooding and further work would be required to understand the nature and extent of the risk before consideration could be given to allocation.

In the earlier phases on consultation, Planning Officers held a Public Consultation event at the Victory Hall, Whimble. This site was never considered as being appropriate

for development at that event and, in fact, when local residents asked the question, the Officers in attendance vehemently denied that it was a possibility for consideration.

At the meeting on 1 October 2024, Members of the committee voted to go with the officer recommendation and not allocate the site. However, at the Strategic Planning Committee meeting on 1 November 2024 Members did a complete u turn and decided to allocate part of the site, contrary to Officer recommendation.

There was no justification or reason given as to why this site was picked above any others in Whimble or other sites in the east Devon area. Also no additional work appears to have been completed by officers to assess the risks relating to this site before allocating it.

This gives the appearance of the Strategic Planning Committee having a knee jerk reaction to needing to allocate additional houses across the district without considering a fully worked up proposal or sound justification (based on evidence and facts), as to why the site should be allocated (partially or otherwise).

This site allocation report also considers 'If whole site is not suitable for allocation, could a smaller part be allocated?' The view of the professional planning officers was 'No'. Again, this leads Whimble Parish Council to challenge the soundness of any allocation of this site, whether full or partial.

Taking the list of reasons drawn up by officers as to why the site should not be allocated, Whimble Parish Council makes the following comments:

Scale of development incompatible with spatial strategy.

Policy SP01: Spatial Strategy section E states 'Allowing limited development at the Service Villages of Beer, Branscombe, Broadhembury, Chardstock, Clyst St Mary, Dunkeswell, East Budleigh, Exton, Feniton, Hawkchurch, Kilmington, Musbury, Newton Poppleford, Otterton, Payhembury, Plymtree, Sidbury, Stoke Canon, Tipton St John, Uplyme, Westclyst, West Hill and Whimble.'

The EDDC Site Allocation Report for Whimble states 'Whimble is a is a 'Tier 4' settlement, where the draft local plan seeks to promote limited development to meet local needs. The development of up to 180 dwellings on Whim_08 is considered to be excessively high in relation to the scale of the existing village.

As part of the work on the Whimble Neighbourhood Plan, the Parish Council commissioned a Housing Needs Survey. The Whimble Parish Housing Needs Report states 'The survey identified a need for at least 4 affordable homes within the next 5 years.'

Whimble Parish Council does not class a total allocation of 83 homes in Whimble to be 'limited development' (Whim_11 total of 33 homes; Whim_08a total of 50 homes), especially when the Whimble Housing Needs Report lists a significantly lower figure.

The Parish Council also suggests that the allocation is not sound as it is contrary to EDDC Emerging Local Plan Policy HN01: Housing to address needs, which states 'This will be achieved by providing an appropriate mix of decent, good quality homes which meet identified needs for housing as identified in a neighbourhood plan, local needs assessment or other evidence document over the plan period, at locations consistent with the settlement hierarchy and the spatial strategy.'

In addition to this, there are developments planned in neighbouring areas e.g. Cranbrook. This includes the current Cobdens Expansion of Cranbrook, part of which is still in the Whimble Parish Area, where 1500 houses, a school and a travellers site have already been approved by the Strategic Planning Committee. These sites have a far better infrastructure than Whimble Village so why has the additional housing requirement not been allocated at these sites?

Site lacks safe and convenient pedestrian access to services and facilities in the village.

Access to the site and potential development would be through Bramley Gardens and onto Church Road. Church Road is the main route into the Village and is a narrow and dangerous road.

The section of Church Road nearest to the Square and village shop is single track road with houses either side of the road. There is no pavement along the stretch of Church Road to The Square and School Hill. The Parish Council and Villagers have raised concerns about the volume and speed of traffic on that road.

The Parish Council are so concerned about the volume and speed of traffic along Church Road that it has convened a Community Speed Watch Group to monitor the traffic and speed along that road. The Police confirmed that Church Road is not recommended as a safe route to the Primary School, Village shop, church or railway station.

To access the village shop in the Square and the Primary School in School Hill villagers would have to walk down Church Road which has no pavements. Therefore, there is no safe and convenient pedestrian access to services and facilities in the village.

To ensure safety most people would probably use their car or vehicle to access the village shop or primary school. This is not sustainable and surely would be against EDDC Emerging Local Plan Policy TR01: prioritising walking, wheeling, cycling and public transport and is also contrary to the EDDC Climate Change aspirations.

The site forms part of the 'Green Wedge' between Whimble and Cranbrook.

The EDDC Emerging Local Plan Policy OL05: Green Wedges states 'Within green wedges, as defined on the Policies Map, development will not be permitted if it would add to existing sporadic or isolated development, damage the individual character or identity of a settlement, or could lead to or encourage settlement coalescence, whether physical, visual, or intrinsic.'

Whimble Parish Council again challenges the soundness of the proposed allocation due to the Green Wedge. The Allocation of this site would potentially damage the individual character or identity of Whimble. This site forms an important part of the very attractive rural landscape setting for the settlement.

This would also lead to settlement coalescence between Whimble and Cranbrook, which is a material planning issue, and clearly demonstrates that this site should not be allocated in the Local Plan. This was the view of the EDDC professional Planning Officers.

Potential impact on unconfirmed wildlife site.

Local residents have stated that this site is a wildlife site which is home to bats, owls, woodpeckers, deer and badgers. Any development of this site would be contrary to EDDC Emerging Local Plan Policy PB03: protection of irreplaceable habitats and important features.

Part of is at risk of flooding and further work would be required to understand the nature and extent of the risk before consideration could be given to allocation.

There is no evidence to suggest that officers have carried out further work relating to the flood risk before consideration was given to a partial allocation. Therefore, Whimble Parish Council suggests that there is no sound evidence for allocating this site in the EDDC Emerging Local Plan and that it is contrary to Policy AR01: Flooding.

Other comments

The Parish Council and local residents in Whimble have not said that they are against development. But the issue is the size and location of the development.

It is the view of the Parish Council that development would be better placed elsewhere in Whimble, or in Cranbrook or elsewhere in the district where there is appropriate infrastructure.

As set out earlier there is no sound justification as to why the Strategic Planning Committee decided to go against the professional judgement of the Planning Officers and allocated this site in the Emerging Local Plan.

Also, in terms of soundness, the Strategic Planning Committee does not appear to have fully considered a number of other options that could have been chosen.

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Whim_18 Land to the east of Church Road
Whim_20 Land to the north of Plumtree Lane

The Parish Council's preference would be that a site is allocated to the east of Church Road so that it is nearer to the established infrastructure near the Hand and Pen.

It is appreciated that there are constraints to these sites but the Parish Council challenges that there are constraints with site Whim_08a, hence why the EDDC professional Planning Officers recommended that the site was not allocated.

It is the view of the Parish Council that further work should be carried out on all of the sites by the professional Planning Officers before any allocation is made in Whimble.

So, in summary, Whimble Parish Council does not feel that the EDDC Emerging Local Plan policy SD29: Strategic Allocations in Whimble is sound, and therefore site Whim_08a should not be allocated.

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Therefore, Whimble Parish Council and local residents want to see the modification of site Whim_08a being removed from the EDDC Emerging Local Plan and the homes being allocated elsewhere in the District (outside of Whimble Village), where there is appropriate infrastructure.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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